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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

May 25, 2003

Assistant Commissioner for Patents  
Washington DC 20231

Applicant: Steven A. Benner  
Title: Evolution-based Functional Genomics  
Serial number: 09/640709  
Filing date: August 18, 2000  
Examiner: Michael Borin

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## PETITION FOR EXTENSION OF TIME

Pursuant to 37 CFR §1.136, the Applicant hereby petitions that the period for response to the Examiner's action mailed November 27, 2002 be extended for three (3) months to and including May 27, 2003.

Enclosed is a check for \$465.00 for the required fee. This is a verified statement that the Applicant is a "small entity" as defined by the Code. Please deduct any additional charges, as appropriate, or apply any credits to the Deposit Account Number 02-2055 in the Applicant's name.

Respectfully submitted,

  
Steven A. Benner  
Applicant/Inventor  
1501 NW 68th Terrace  
Gainesville Florida 32605-4147  
Tel: (352) 332 2262 (352) 219 3570  
Fax: (352) 331 0462  
email: sbenner@bellsouth.net

06/04/2003 RADDFO1 00000038 09640709

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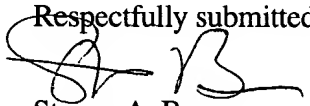
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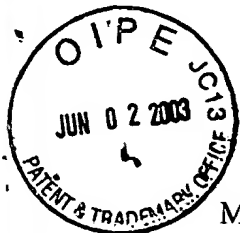
FEE CALCULATION

Independent Claims in Excess of Three  
(total independent claims = 5, minus 3 - 2 @\$42.00 per excess claim) \$84.00

Please find enclosed a check drawn in the amount of \$84.00 to pay this fee.

This is a verified statement that the Applicant is a "small entity" as defined by the Code. Please deduct any additional charges, as appropriate, or apply any credits to the Deposit Account Number 02-2055 in the Applicant's name.

Respectfully submitted,  
  
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Certificate of Mailing under 37 C.F.R. 1.8(a)

The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service as First Class Airmail in an envelope addressed to Commissioner of Patents and Trademarks, Washington DC. 20231, USA on or before May 27, 2003.

Steven A. Benner (Applicant)

This is a verified statement that the Applicant is a "small entity" as defined by 37 CFR 1.27. The Applicant is a holder of Deposit Account Number 02-2055 in the Applicant's name, and authorizes the Commissioner to debit any charges or credit any overpayment to this account as appropriate.

Dear Sir:

This communication is responsive to an Office Action mailed November 27, 2002, Paper 2 in the case.

Please find enclosed:

1. A Petition for Extension of Time
2. A check drawn in the amount of \$465.00 for the fee extension for response in the third month (fee code 1253/2253).
3. Amendment to the Specification, in the form of a replacement abstract, as requested in the Action.
4. The replacement abstract on a separate sheet of paper.
5. A response to the Action, including an amendment to the claims.
6. A fee calculation
7. A check drawn in the amount of \$84.00 to cover two independent claims in excess of three.

Respectfully submitted,

Steven A. Benner  
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